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PTO/SB/05 (03-01)

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 88265-4038 Total Pages 30

First Named Inventor or Application Identifier

Dieter BLASCHKE

Express Mail Label No. EL 803539706 US

PTO  
09/874476

06/04/01

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status  
See 37 CFR 1.27.
3. ☒ Specification Total Pages 21  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed Sponsored R&D
  - Reference to Sequence Listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) Total Sheets 5
5. Oath or Declaration Total Pages 4
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies.

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449  
☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Non-publication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application no. 09/453,914 filed on April 25, 2000  
Prior Application Information: Examiner: T. Tran Lien GroupArt Unit: 1761

**For CONTINUATION OR DIVISIONAL APPLICATIONS ONLY:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code

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NAME

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Name (Print/Type)

Allan A. Fanucci

Registration No.: 30,256

Signature

Allan A. Fanucci

Date

6/4/01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Prior application: Examiner T. Tran LienArt Unit 1761Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no.09/453,914 filed on April 25, 2000  
of Dieter BLASCHKE; Peter NAIRN, Merrie MARTIN, Eugene SCOVILLE, Jenifer CRAMER, Karl C. FUCHS  
(inventor(s) currently of record in prior application)

for METHOD FOR MAKING COOKIES

(title of invention)

1. ☒ The filing fee is calculated below:

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	30	-20	10	\$18.00 each	\$180.00
Independent	2	-3	0	\$80.00 each	\$0.00
Basic Fee					\$710.00
Multiple Dependency Fee If Applicable (\$270.00)					\$0.00
<b>Total</b>					\$890.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$0.00
<b>Total Filing Fee</b>					\$890.00

2. ☒ Please charge the required fee to Winston & Strawn Deposit Account No. **501-814**. A copy of this sheet is enclosed.
3. ☐ Amend the specification by inserting before the first line the following sentence:

- 4a. ☐ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- 4b. ☒ New formal drawings are enclosed.
- 4c. ☐ Informal drawings are enclosed.
- 5a. ☐ Priority of application no. filed on is claimed under 35 U.S.C. 119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☐ The prior application is assigned of record to .
- 7a. ☐ The Power of Attorney appears in the original papers in the prior application no. \_\_\_\_\_, filed \_\_\_\_\_.
- 7b. ☒ Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application no. 09/453,914, filed April 25,2000 is enclosed. **PLEASE ADDRESS ALL COMMUNICATIONS TO CUSTOMER NUMBER 28765.**
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR 1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. 1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. 1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☒ Additional enclosures or instructions.  
Information Disclosure Statement,

Respectfully submitted,

Date: 6/4/01

  
Allan A. Fanucci (Reg. No. 30,256)

**WINSTON & STRAWN**  
200 Park Avenue  
New York, New York 10166-4193

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Enclosures